



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LHE:GK/JRS/DL
F. #2018R01401

*271 Cadman Plaza East
Brooklyn, New York 11201*

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By Email and ECF

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Counsel for Rachel Cherwitz

Counsel for Nicole Daedone

Re: United States v. Rachel Cherwitz and Nicole Daedone
Criminal Docket No. 23-146 (DG)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery is being produced to you pursuant to the Protective Order in the above-captioned matter, entered on June 26, 2023. ECF Dkt. No. 26. A subset of the records herein was provided by individuals whose identities will be disclosed to counsel separately or whose identities have been previously disclosed to counsel.

I. The Government's Discovery

A. Documents and Tangible Objects

- Documents related to OneTaste courses and operations, provided by Individual #10 (ONETASTE00171686 - ONETASTE00172213);
- Records from Salesforce (ONETASTE00172214 - ONETASTE00172450);

- Text messages exchanged by Individual #16 and Nicole Daedone, which contain statements by Daedone, provided by Individual #16 (ONETASTE00172956 - ONETASTE00172990);
- Text messages exchanged by Individual #16 and Rachel Cherwitz, which contain statements by Cherwitz, provided by Individual #16 (ONETASTE00172991 - ONETASTE00173025);
- Text messages exchanged by Individual #16 and Individual #4, provided by Individual #16 (ONETASTE00173026 - ONETASTE00173080);
- Text messages exchanged by Individual #16 and Individual #21, provided by Individual #16 (ONETASTE00173081 - ONETASTE00173131).

Please contact DupeCoop at dupecoop@mac.com and reference the above-captioned case to obtain a copy of the discovery. You may examine physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

The government renews its request for reciprocal discovery from the defendants. Please note that the defendants' obligations under Fed. R. Crim. P. 16(b) include identification of "all non-impeachment exhibits [the defendants] intend to use in their defense at trial, whether the exhibits will be introduced through a government witness or a witness called by a Defendant." United States v. Napout, No. 15-CR-252 (PKC), 2017 WL 6375729, at *7 (E.D.N.Y. Dec. 12, 2017); accord United States v. Smothers, No. 20-CR-213 (KAM), 2023 WL 348870, at *22 (E.D.N.Y. Jan. 20, 2023).

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact us.

Very truly yours,

BREON PEACE
United States Attorney

By: /s/ Lauren H. Elbert
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Gillian Kassner
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Enclosures

cc: Clerk of the Court (DG) (by ECF) (without enclosures)